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3 UNITED STATES DISTRICT COURT  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
5 OAKLAND DIVISION  
6

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 PATRICK RAINER WILLIAMS,

11 Defendant.  
12  
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Case No: CR 12-0495 SBA

**ORDER ACCEPTING  
AMENDED REPORT AND  
RECOMMENDATION  
REGARDING GUILTY PLEA**

Docket 630

14 On January 4, 2013, the Court referred this matter to Magistrate Judge Westmore  
15 ("the magistrate") for a report and recommendation on the acceptance of Defendant's guilty  
16 plea. Dkt. 439. On January 18, 2013, the Defendant appeared before the magistrate and,  
17 with the assistance of counsel, waived his right to enter a guilty plea before a district judge  
18 and instead consented to enter his plea in a hearing before the magistrate. See Dkt. 630.  
19 The magistrate conducted a full hearing in the manner set forth in Federal Rule of Criminal  
20 Procedure 11. Id. After the advisements set forth in Rule 11, the Defendant entered a  
21 guilty plea in open court. Specifically, the Defendant pled guilty pursuant to a written plea  
22 agreement to Count Twenty-Eight of the Indictment charging Defendant with possession  
23 with intent to distribute and distribution of heroin and cocaine within 1,000 feet of a school  
24 in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and 860. Id. The magistrate found  
25 that Defendant was fully competent and capable of entering an informed plea, that he was  
26 aware of the nature of the charges and the consequences of the guilty plea, and that the  
27 guilty plea was knowing and voluntary and supported by an independent factual basis. Id.  
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1 On January 22, 2013, the magistrate issued a Report and Recommendation  
2 Regarding Guilty Plea. Dkt. 466. On April 30, 2013, the magistrate issued an Amended  
3 Report and Recommendation Regarding Guilty Plea in which she recommends that this  
4 Court accept Defendant's guilty plea. Dkt. 630. The Amended Report and  
5 Recommendation advises the parties that they may serve and file specific written objections  
6 to the order within fourteen days after being served with a copy of the order. Id. No  
7 written objections to the Amended Report and Recommendation were filed prior to the  
8 hearing. At the May 15, 2013 sentencing hearing in this matter, the parties indicated that  
9 they have no objections to the Amended Report and Recommendation. Accordingly,

10 IT IS HEREBY ORDERED THAT the magistrate's Amended Report and  
11 Recommendation (Dkt. 630) is ACCEPTED, the Defendant's guilty plea is accepted, and  
12 the magistrate's Amended Report and Recommendation shall become the order of this  
13 Court.

14 IT IS SO ORDERED.

15 Dated: 5/15/13

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17 SAUNDRA BROWN ARMSTRONG  
18 United States District Judge  
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